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Commissioner for Patents

REMARKS

Claims 1-20 remain in the application.

Claims 1, 3, 13 and 16 are herein amended.

In Item I of the Office Action, the Examiner has objected to the title as being nondescriptive. Accordingly, the title has been changed to "*Apparatus for Carrying Loads on Inclined Surfaces*", whereby the objection is traversed.

In Item II of the Office Action, the Examiner has objected to claim 16, stating that the limitation "*the a portion of the endless track*" does not comply with 35 U.S.C. 112, second paragraph. Accordingly, claim 16 has been amended to read "*a portion of the endless track*". The objection under 35 U.S.C. 112 is therefore traversed.

In Item III, point 1.1, of the Office Action, the Examiner has rejected claim 1 under 35 U.S.C. 102 in view of U.S. Patent No. 2,902,101 (hereinafter "*Cates*"). In view of the objection, the Applicant herein amends claim 1. The Applicant argues that the conveyor described by Cates has an arcuate stop 52 that extends below the surface of the conveyor. Accordingly, as clearly shown in Figure 1, the stop 52 will prevent the conveyor from being used to move loads down the stairs, as the stops 52 interact with the stairs to prevent the downward movement. Accordingly, in view of the configuration of the stops 52 as described by Cates, claim 1 as herein amended is deemed to patentably distinguish over the prior art. In view of the amendment to claim 1, claim 2 is adjusted with respect to antecedent basis.

Still in Item III, point 1.10, of the Office Action, the Examiner rejects claim 13 as being anticipated by Cates. In view of the objection, the Applicant herein amends claim 13. More specifically, the Examiner refers the Applicant to lines 38-41 of column 3 of Cates. In view of the Examiner's objection, claim 13 is herein amended so as to overcome the Examiner's anticipation rejection. More specifically, the Applicant points out that the subject matter of column 3, lines 38-41, of Cates is associated with the presence of a swivel wheel to handle the load on the conveyor. The Applicant points out that such a swivel wheel is unstable, as it has two axes of rotation, whereby it may be difficult to use a swivel wheel to position a load on the conveyor. Therefore, the Applicant argues that claim 13 as herein amended patentably distinguishes over Cates.

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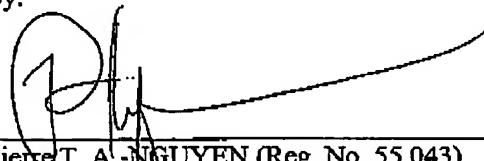
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In view of the above amendments and remarks, this application is now considered to be in condition for allowance, and early notice to that effect is earnestly solicited.

Respectfully submitted,

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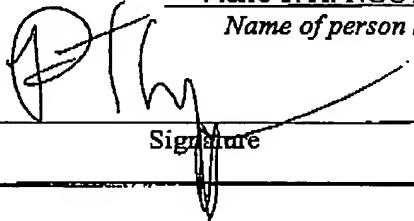
(Date)

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile-transmitted to the Patent and Trademark Office on the date shown below.

Pierre T. A. NGUYEN, Reg. No. 55,043

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Signature

January 19, 2006

Date